

SB0088



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0088

Introduced 1/31/2007, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

720 ILCS 5/16-14

from Ch. 38, par. 16-14

Amends the Criminal Code of 1961. Provides that unlawful interference with public utility services includes the knowing delay in restoration of the services, as a result of the person's theft of wire used for such services. Provides that if the disruption of the public utility services or the delay in the restoration of the public utility services occurs to 10 or more customers or affects an area of more than one square mile, unlawful interference with public utility services is a Class 2 felony.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 1961 is amended by changing
5 Section 16-14 as follows:

6 (720 ILCS 5/16-14) (from Ch. 38, par. 16-14)

7 Sec. 16-14. (a) A person commits the offense of unlawful
8 interference with public utility services when he or she
9 knowingly, without the consent of the owner of the services,
10 impairs or interrupts any public water, gas or power supply,
11 telecommunications service, or other public services, or
12 diverts, or causes to be diverted in whole or in part, any
13 public water, gas, or power supply, telecommunications service
14 or other public services, or installs or removes any device for
15 the purpose of such diversion, or knowingly delays restoration
16 of such public services, as a result of the person's theft of
17 wire used for such services.

18 (b) The terms "public water, gas, or power supply, or other
19 public service" mean any service subject to regulation by the
20 Illinois Commerce Commission; any service furnished by a public
21 utility that is owned and operated by any political
22 subdivision, public institution of higher education or
23 municipal corporation of this State; any service furnished by

1 any public utility that is owned by such political subdivision,
2 public institution of higher education, or municipal
3 corporation and operated by any of its lessees or operating
4 agents; and any service furnished by an electric cooperative as
5 defined in Section 3.4 of the Electric Supplier Act.

6 (c) Any instrument, apparatus, or device used in obtaining
7 utility services without paying the full charge therefore or
8 any meter that has been altered, tampered with, or bypassed so
9 as to cause a lack of measurement or inaccurate measurement of
10 utility services on premises controlled by the customer or by
11 the person using or receiving the direct benefit of utility
12 service at that location shall raise a rebuttable presumption
13 of the commission of the offense described in subparagraph (a)
14 by such person.

15 (d) (1) A person convicted of unlawful interference with
16 public utility services is guilty of a Class A misdemeanor
17 unless the offense was committed for remuneration, in which
18 case it is a Class 4 felony.

19 (2) After a first conviction of unlawful interference with
20 public utility services any subsequent conviction shall be a
21 Class 4 felony.

22 (3) If the disruption of the public utility services or the
23 delay in the restoration of the public utility services occurs
24 to 10 or more customers or affects an area of more than one
25 square mile, unlawful interference with public utility
26 services is a Class 2 felony.

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1 (Source: P.A. 88-75.)